



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
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CHICAGO, IL 60604-3590

DEC 03 2015

REPLY TO THE ATTENTION OF:

E-19J

Julie Ann Smith, Ph.D.
Office of Electricity Delivery and Energy (OE-20)
U.S. Department of Energy
1000 Independence Avenue SW
Washington, DC 20585

Re: Great Northern Transmission Line Project, U.S. – Canada Border, Northern Minnesota,
Final Environmental Impact Statement (FEIS).
CEQ No.: 20150310

Dear Dr. Smith:

The United States Environmental Protection Agency (EPA), Region 5 reviewed the Final Environmental Impact Statement (FEIS) prepared by the U.S. Department of Energy (DOE) and Minnesota Department of Commerce – Energy Environmental Review and Analysis (DOC-EERA) for the Great Northern Transmission Line Project (GNTL), pursuant to Section 309 of the Clean Air Act (CAA), Section 102(2)(C) of the National Environmental Policy Act (NEPA), and Council on Environmental Quality regulations (40 CFR Parts 1500-1508).

EPA provided comments on the Draft EIS (DEIS) on August 10, 2015. We rated the DEIS as Environmental Concerns – Insufficient Information (EC-2). Our primary concern was that the document did not contain enough information to fully assess the environmental impacts that should be avoided in order to fully protect the environment. EPA concerns regarded potential impacts to wetlands, upland forest and associated wildlife habitat, federal and state listed species, cultural resources and identification/disclosure of mitigation measures. We made recommendations for additional information to include in the FEIS.

The FEIS retains the DOE and Minnesota Power preferred alternative for the international crossing location at latitude 49 00 00.00 N and longitude 95 54 50.49 W, roughly 2.9 miles east of Highway 89 in Roseau County, Minnesota. The FEIS retains the Blue Route with a variable route width between 650 to 3,000 feet as Minnesota Power's preferred alternative route. The FEIS continues to disclose that final design will not occur until after MnPUC's Route Permit decision and that MnPUC will not make a Route Permit decision until after the FEIS.

The FEIS (page CSA-2) states *"DOE will announce its decision on its Proposed Action in a Record of Decision (ROD) in the Federal Register no sooner than 30 days after EPA publishes the Notice of Availability of the final EIS and not before the MnPUC's Route Permit Decision. MnPUC's decision on a final route determination is expected in the first quarter of 2016."*

EPA agrees with DOE's decision not to finalize the ROD until MnPUC's makes its Route Permit decision.

EPA appreciates that the FEIS includes additional information, analysis, clarification and/or discussion regarding, but not limited to cultural resources, tribal consultation, inclusion of a National Historic Preservation Act Section 106 draft Programmatic Agreement (draft PA), and estimates of construction emissions of criteria pollutants, CO2 and greenhouse gases. However, the FEIS does not identify Minnesota Power's proposed locations for permanent and temporary access roads, laydown areas, stringing areas and fly-in sites, and potential pole locations along with their potential resources impacts as we recommended. Consequently, there will likely be additional impacts to resources such as wetlands and forests that have not been disclosed in the FEIS. EPA retains its right to further review and comment on the GNTL project during the U.S. Army Corps of Engineers Clean Water Act Section 404 permitting process.

EPA retains its concerns regarding resources impacts and makes the following recommendations for information to include in the ROD to help insure that adequate safeguards and mitigation measures are in place to fully protect the environment should the GNTL project advance to final design, construction and operation.

Recommendations:

- EPA recommends the ROD include the MnPUC Route Permit for GNTL.
- The ROD should identify the plans, mitigation measures and state and federal agencies' requirements that MnPUC's Route Permit requires the applicant to develop and undertake. As identified in the FEIS, these might include but need not be limited to: Aviation Mitigation Plan, Vegetation Management Plan, Erosion and Sediment Control Plan, and Stormwater Pollution Prevention Plan (SWPPP), as well as identification of Minnesota Department of Natural Resources (MnDNR) Requirements, Minnesota Pollution Control Requirements, and Minnesota State Historical Preservation Office Requirements.
- The ROD should identify and disclose why a particular plan and/or mitigation measure identified in the FEIS is not a MnPUC Route Permit requirement.
- EPA continues to recommend a third party independent inspector, such as MnDNR, be utilized as recommended by MnDNR in their August 15, 2014 letter to DOC. We recommend the ROD disclose whether or not MnDNR or some other third party independent environmental inspector will be used for GNTL construction and whether this is a requirement in the MnPUC Route Permit.
- We continue to recommend Minnesota Power pursue opportunities to use clean diesel equipment, vehicles, fuels and other emission reduction strategies during project

construction. The ROD should identify additional air quality measures that Minnesota Power proposes to utilize and/or MnPUC intends to include as conditions/requirements in the MnPUC Route Permit.

- EPA continues to recommend that, for forest impacts that do not require compensation under existing federal and/or state regulations, the project proponent undertake voluntary forest compensation for permanent and temporary tree losses due to construction and operation of the preferred alternative. Mitigation might include, but not be limited to, helping to finance forest restoration projects by local, state and/or federal natural resource agencies. DOE's ROD should identify whether or not Minnesota Power will undertake voluntary forest compensation mitigation and identify the amount, location, and timing, if applicable.
- We also recommend the project proponent prepare, in coordination with MnDNR and the U.S. Fish and Wildlife Service (USFWS), a vegetation management plan to address control of invasive/noxious plant species intrusions. We recommend the ROD include a vegetation management plan that addresses control of invasive species.
- The FEIS discloses that the ROD will incorporate the executed Section 106 PA by reference. We recommend the ROD include the executed PA and/or provide a direct link to the executed PA. The ROD should also identify and discuss any substantive changes made to the executed PA since the FEIS draft PA.

EPA requests DOE provide one hard copy and three CDs of the ROD as soon as it is available. If you would like to discuss the content of this letter and enclosure in more detail, please contact Virginia Laszewski of my staff at 312/886-7501 or at laszewski.virginia@epa.gov.

Sincerely,



Kenneth A. Westlake,
Chief, NEPA Implementation
Office of Enforcement and Compliance Assurance

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